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15 Attorneys for the Plaintiff:  
16 LARRY ROTHMAN

17 **UNITED STATES DISTRICT COURT**  
18 **CENTRAL DISTRICT OF CALIFORNIA**  
19 **SANTA ANA DISTRICT**

20 LARRY ROTHMAN )

21 Plaintiff, )

22 -vs- )

23 BANK OF THE WEST )

24 Defendant. )

25 **Case No.**

26 **SACV12 - 01723 CJC (RNBx)**

27 **COMPLAINT FOR WRONGFUL**  
28 **ACCESS TO CREDIT REPORT**  
**(15 USC 1681)**

**DEMAND FOR JURY TRIAL**

FILED  
2012 OCT -5 PM 2:32  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

1 COMES NOW THE PLAINTIFF, LARRY ROTHMAN, who complains as  
2 follows:

3 **FIRST CAUSE OF ACTION**  
4 **(Violation of Fair Credit Report Act - Federal Law)**

5  
6 1 Plaintiff is an individual located within this judicial district and all  
7 statutory damages occurred within this judicial district..

8  
9 2 Defendant, BANK OF THE WEST, is a National Bank, licensed by the  
10 United States Government, and is qualified to operate in the State of California.

11  
12 3 On or about October 15, 2010, the Defendant willful procured Plaintiff's  
13 Credit Report without consent or proper purpose in violation of 15 USC 1681. This Court has  
14 jurisdiction on this case based upon 15 USC 1681.  
15

16  
17 4 As such, Plaintiff is entitled to recover from Defendant general damages,  
18 statutory damages, costs, and legal fees.  
19

20 **SECOND CAUSE OF ACTION**  
21 **(Violation of Fair Credit Report Act - California Law)**

22 5 Plaintiff reincorporates all allegations set forth in Paragraphs 1 to 4 above.  
23

24  
25 6 Defendant violated California Civil Code 1785 et seq. by accessing  
26 Plaintiff's Credit Report without authorization or legal purpose.  
27  
28

1                   4     As such, Plaintiff is entitled to recover from Defendant general damages,  
2 statutory damages, costs, punitive damages, and legal fees.  
3  
4

5  
6                   WHEREBY, Plaintiff prays that the Court or Jury award:

- 7                   1     General Damages according to proof  
8                   2     Statutory Damages;  
9                   3     Punitive Damages as provided by the Fair Credit Reporting Act;  
10                  4     Reasonable Attorney Fees;  
11                  5     Costs; and  
12                  6     Other Relief as this Court may deem just and proper.  
13  
14

15   LARRY ROTHMAN & ASSOCIATES

16   THE DURST FIRM

17  
18                   DATED:   October 5, 2012

19   s/LEE H. DURST

20   \_\_\_\_\_  
LEE H. DURST/LARRY ROTHMAN

Attorneys for the Defendants:

21                   LARRY ROTHMAN, LARRY ROTHMAN, A PROFESSIONAL CORPORATION  
22                   LOMA LINDA HOMEOWNERS ASSOCIATION  
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